

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

AREIT YALE VILLAGE LLC,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. 22-CV-00158-GKF-CDL
NABHOLZ CONSTRUCTION COMPANY,)	
)	
Defendant.)	

ORDER TO SHOW CAUSE

This matter comes before the court *sua sponte*. Plaintiff AREIT Yale Village LLC filed a Complaint invoking the court’s diversity jurisdiction under 28 U.S.C. § 1332. [Doc. 2]. Pursuant to § 1332, “[t]he district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between . . . citizens of different States.” 28 U.S.C. § 1332(a). The party invoking federal jurisdiction bears the burden of establishing that the requirements of diversity jurisdiction are satisfied. *Martin v. Franklin Cap. Corp.*, 251 F.3d 1284, 1290 (10th Cir. 2001).

AREIT asserts that it is a Delaware limited liability company with its principal place of business in Denver, Colorado. [Doc. 2, p. 1, ¶ 1]. In the Tenth Circuit, a limited liability company takes the citizenship of all its members for purposes of diversity jurisdiction. *See Siloam Springs Hotel, L.L.C. v. Century Sur. Co.*, 781 F.3d 1233, 1238 (10th Cir. 2015). AREIT fails to include any information as to the citizenship of its members in the Complaint. For this reason, AREIT fails to meet its burden of establishing that the requirements of diversity jurisdiction are satisfied. *Martin*, 251 F.3d at 1289.

Within fourteen (14) days from the date this Order is filed, or by April 21, 2022, plaintiff AREIT Yale Village LLC is directed to show good cause why this case should not be dismissed without prejudice due to this court's lack of subject matter jurisdiction. *See Citizens Concerned for Separation of Church & State v. City & Cnty. of Denver*, 628 F.2d 1289, 1301 (10th Cir. 1980) ("A federal court must in every case, and at every stage of the proceeding, satisfy itself as to its own jurisdiction, and the court is not bound by the acts or pleadings of the parties.").

DATED this 7th day of April, 2022.


GREGORY K. FRIZZELL
UNITED STATES DISTRICT JUDGE